
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order No. 31 (2011)

Establishing the Independent Bipartisan Advisory Commission on Redistricting

Importance of the Issue

Article II, Section 6 of the Constitution of Virginia requires congressional and state legislative district lines to be redrawn every ten years. It further requires that districts be drawn to create districts of "contiguous and compact territory." The next round of redistricting will take place this year.

Legislative districts must be drawn in a way that maximizes voter participation and awareness and lines should reflect commonsense geographic boundaries and strong communities of interests. Additionally, because redistricting has such an important impact on the citizens of the Commonwealth and their elected representation, the process should take place in a way that welcomes citizen input and fosters a productive public dialogue.

Independent Bipartisan Advisory Commission on Redistricting

In furtherance of my legislative responsibilities under Article V, Section 5 of the Constitution of Virginia and my commitment to the Virginia tradition of good governance, by virtue of the authority vested in me as Governor under Article V of the Constitution of Virginia and under the laws of the Commonwealth, including but not limited to § 2.2-134 of the *Code of Virginia*, I hereby establish the Independent Bipartisan Advisory Commission on Redistricting.

Commission Membership

The Commission shall be composed of eleven citizen members, appointed by the Governor and serving for the remainder of the life of the Commission. Members will be citizens of Virginia who have not held any elected office for at least five years and shall not be a member or employee of the Congress of the United States or of the General Assembly. Membership shall be equally divided by political party affiliation and one chair who is not identifiable with any political party and has not

held any public or political party office. The members of the Commission will serve without compensation.

Charge of the Commission

The Commission will facilitate citizen input into the redistricting process. The Commission shall solicit citizen input and provide citizens with access to its processes by holding public meetings as appropriate and creating a website that will allow public comment and interaction.

The Commission may develop a redistricting plan or accept from the public proposed plans for redistricting. The Commission may also analyze plans submitted by colleges and universities or other groups and stakeholders. The Commission shall review any such plans to determine if they meet the criteria set out below. To the extent that the proposed plans comply with the criteria set forth below, the Commission may recommend such model plans to the General Assembly. The Commission shall work independently of the executive and legislative branches, and its report and any recommendations shall be made directly to the President pro tempore of the Senate of Virginia, the Speaker of the Virginia House of Delegates, the Chairmen of the House and Senate Privileges and Elections Committees, and the Governor. To the extent possible, such reports shall be forwarded prior to the start of the reconvened session of the General Assembly in order to allow for full consideration of the reports.

Redistricting Criteria to be Used by the Commission

In developing and evaluating districts, the Commission shall be guided by the following standards:

1. Consistent with Article II, Section 6 of the Constitution of Virginia, all districts shall be composed of contiguous and compact territory and shall be as equal in population as is practicable and in compliance with federal law. No district shall be composed of territories contiguous only at a point.
2. All districts shall be drawn to comply with the Virginia and United States Constitutions, applicable state and federal law, the Voting Rights Act of 1965, as amended, and relevant case law.
3. The population of legislative districts shall be determined solely according to the enumeration established by the 2010 federal census. The population of each district shall be as nearly equal to the population of every other district as practicable.
4. All districts, to the extent practicable, shall respect the boundary lines of existing political subdivisions. The number of counties and cities divided among multiple districts shall be as few as practicable.
5. To the extent possible, districts shall preserve communities of interest.

Support for the Commission

I direct that all executive branch agencies of the Commonwealth provide any appropriate assistance that may be requested by the Commission. Additionally, Christopher Newport University has agreed to provide support to the Commission. An estimated 400 hours of staff time will be required to support the work of the Commission. Upon request of the Commission, the Governor may also request the assistance of the Division of Legislative Services to provide advice or support to the Commission. The Commission may request the assistance of volunteer outside counsel or experts as it shall deem necessary.

Additional support and funding for the Commission may be provided by private donations. To the extent practicable, meetings of the Commission shall be open to the public, but the Commission is not a public body as that term is used in § 2.2-3700 *et seq.* of the *Code of Virginia*.

Effective Date of the Executive Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect until December 1, 2011, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 10th day of January, 2011.

/s/ Robert F. McDonnell, Governor

Attest:

/s/ Secretary of the Commonwealth